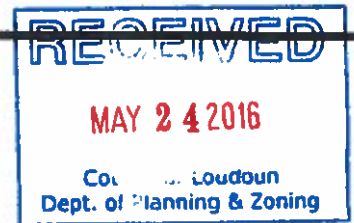


Smolens, Kristine

From: Mohn, Christopher
Sent: Monday, May 23, 2016 4:29 PM
To: Smolens, Kristine
Cc: McConnell, Kate
Subject: FW: ZCOR-2007-0069 Update
Attachments: ZCOR-2007-0069.doc



Hi Kris,

Please set up the ZCOR request below in LMIS and assign to Kate M. Please also include a copy of the attached under "documents."

Thanks!
Chris

Christopher Mohn, AICP
Deputy Zoning Administrator
Department of Planning & Zoning

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.

In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.

From: Griffin, Kelly
Sent: Monday, May 23, 2016 4:20 PM
To: Mohn, Christopher <Christopher.Mohn@loudoun.gov>
Cc: Hunter, Sandy <Sandy.Hunter@loudoun.gov>; Hoffman, Mark <Mark.Hoffman@loudoun.gov>
Subject: ZCOR-2007-0069 Update

Chris,

We are gearing up to start the design of the Ashburn Recreation Center on PIN#155-26-6774 and # 155-36-4275. ZCOR-2007-0069 was issued on March 22, 2007 and determined that the Community Center use is allowed by right in the PDH-3 Zone under the 1972 Ordinance. This parcel has since passed the sunset date provided in 1-103 (M). Could you please re-visit this ZCOR request and provide us with an updated determination based on the Revised 1993 Zoning Ordinance?

Please let me know if you need any additional information.

Thanks,

****Please note our new address****

Kelly Griffin

Civil Engineer, CZO
Loudoun County
Department of Transportation & Capital Infrastructure,
MSC #64
101 Blue Seal Drive, SE, Suite 102
PO Box 7500
Leesburg, VA 20177-7500

703-737-8299 (Office)
571-206-2992 (Cell)

CORRESPONDENCE SUMMARY

DATE: March 22, 2007

CORRESPONDENCE NUMBER: ZCOR-2007-0069

SUBJECT: Proposed Broadlands Recreation Center

1993 Ordinance Reference Numbers:

1972 Ordinance Reference Numbers: 701.5.1

Other Applicable Reference Numbers: ZMAP-1986-0055
ZMAP-1995-0003*
ZCPA-1994-0005
ZCPA-1997-0004

Applicable Tax Map/PIN Numbers: 155-26-6774

Correspondence Summary:

The Department of Parks, Recreation and Community Services requests a determination to verify that a recreation center is a permitted use on a proffered parcel, and if a legislative application is required to develop the property as proposed in the Capital Improvements Program.

PROPERTY OWNER:

LOUDOUN COUNTY BOARD OF SUPERVISORS
1 HARRISON ST SE 5TH FL
PO BOX 7000
LEESBURG VA 20177-7000

Author: Dan Csizmar

*Indicates where to file

Is this a determination? Check one: Yes ☒ No ☐

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: March 22, 2007

TO: Diane Ryburn - Director, Department of Parks, Recreation and Community Services, MSC 78

FROM: Daniel Csizmar, Capital Facilities Planner

SUBJECT: Broadlands Recreation Center Site

This correspondence is in response to your memorandum sent on March 8, 2007, in which you requested a determination regarding whether the placement of a recreation center on a proffered parcel is in accordance with the Loudoun County Zoning Ordinance.

The parcel in question, PIN #155-26-6774, is zoned PD-H3, but is administered as PDH-24 under the 1972 Loudoun County Zoning Ordinance. The property was proffered to the County as part of ZMAP-1986-0055, Broadlands. This rezoning application was further amended by ZMAP-1995-0003/ZCPA-1994-0005, Broadlands and Broadlands South, and ZMAP-1997-0004, Broadlands (2). The County obtained ownership of the parcel on June 17, 1999. Proffer 16 of ZMAP-1995-0003, Broadlands and Broadlands South, provides for the dedication of the parcel to the County:

16. Developer will dedicate to the County fifteen (15) acres along Route 659 (Section 23, Block 1) as shown on the Concept Plan for a park and Community Center. The 15 acre park shall be dedicated at the time of subdivision or site plan approval for any area adjacent to said park. Uses on the dedicated property shall be limited to the Community Center, a maximum of four (4) unlighted tennis courts and passive recreation uses. Any improvements constructed on the dedicated property shall be set back 100 feet from the property line of proposed residential units to the east.

The parcel was proffered to the County to be developed as a Community Center with associated tennis courts and passive recreational uses. However, the 1972 Zoning Ordinance does not define "community center" or "recreation center", and the Concept Development Plan depicts the site as a "public park". The proffer language does not preclude the development of the site as a recreation center as long as such proposed uses are permitted in the underlying zoning district of the parcel. Section 701.5.1 of the 1972 Zoning Ordinance, lists Parks, community centers and non-commercial recreational facilities as permitted uses within PD-H districts. A County-operated recreation center

would be considered a “non-commercial recreational facility”, and therefore, is a permitted use at the proffered park site.

No legislative application is required in order to develop the parcel as a Recreation Center.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

If you have any questions concerning this correspondence, please call me at (703) 771-5997.

Cc: Melinda Artman, Zoning Administrator
Supervisor Stephen Snow, Dulles District Supervisor
Mike Hengemuhle, Aide to Dulles District Supervisor
Susan Glass, Proffer Manager
Lewis Rauch, Director, Office of Capital Construction, MSC 49
John McCarthy, Office of Capital Construction, MSC 49
Steve Torpy, Department of Parks, Recreation and Community Services, MSC 78
Mark Novak, Department of Parks, Recreation and Community Services, MSC 78